CITY HALL COUNCIL CHAMBERS
SANTA MARIA, CALIFORNIA
REGULAR MEETING

SEPTEMBER 19, 2006

CALL TO ORDER:
Mayor Lavagnino called the Regular Meeting of the City Council to order at 6:30 p.m.

INVOCATION:
Pastor Dennis Russell of the Church of Christ gave the invocation.

PLEDGE OF ALLEGIANCE TO THE FLAG:
Councilmember Orach led the pledge of allegiance.

ROLL CALL:
MEMBERS PRESENT
Councilmembers Mariscal, Orach, Patino, Trujillo, and Mayor Lavagnino

STAFF MEMBERS PRESENT
City Manager Ness, City Attorney Trujillo, Assistant City Manager Haydon, Police Chief Macagni, Director of Community Development Lindsey, Fire Chief Ortiz, Director of Utilities Sweet, Director of Recreation and Parks Posada, Planner III Shipsey, Principal Engineer Whitehead, and Chief Deputy City Clerk Perez.

ANNOUNCEMENTS:
Mayor Lavagnino expressed condolences to Bob Ziener, a regular City Council attendee, whose wife passed away on September 17, 2006.

RESOLUTION COMMENDING ROD RODENBERGER
Mayor Lavagnino read a resolution commending Ronald "Rod" Rodenberger for more than 20 years of outstanding service and dedication to the residents of Santa Maria as a member of the Recreation and Parks Commission.

Resolution No. 2006-153a was adopted on motion by Councilmember Orach, seconded by Councilmember Patino, and carried on the following vote:

AYES:	Councilmembers Mariscal, Orach, Patino, Trujillo, and Mayor Lavagnino
NOES:	None
ABSENT:	None
ABSTAIN:	None

Resolution No. 2006-153a adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, RECOGNIZING RONALD "ROD" RODENBERGER FOR HIS MANY YEARS OF SERVICE TO THE RECREATION AND PARKS COMMISSION AND THE CITY OF SANTA MARIA.

Mayor Lavagnino presented the resolution to Mr. Rodenberger.

Mr. Rodenberger thanked the current and past Councilmembers, the Director of Recreation and Parks, Recreation and Parks staff, and his fellow Recreation and Parks Commissioners.

VOLUNTEER OF THE MONTH
Councilmember Mariscal recognized Iren Hodge as the Recreation and Parks Volunteer of the Month for September for his dedication and commitment to the Santa Maria Swim Club serving as a Board Member and as President.

Mr. Hodge was not able to be present. Director of Recreation and Parks Posada accepted the gift on behalf of Mr. Hodge.

PROCLAMATION – ALCOHOL AND DRUG ADDICTION RECOVERY MONTH
Councilmember Patino read a proclamation declaring the month of September 2006 as "National Alcohol and Drug Addiction Recovery Month" in the City of Santa Maria, and urging the residents to observe this month with appropriate programs, activities, and ceremonies supporting this year's theme, "Join the Voices of Recovery: Build a Stronger, Healthier Community." The proclamation was accepted by Will Robertson of Good Samaritan Services, Will Rogers from Youth and Family Center, and Teressa Manchaca of Fighting Back Santa Maria Valley.

PUBLIC COMMENT
Richard Quandt spoke regarding the transporting of contaminated soil from the Guadalupe Dunes to the Santa Maria Landfill and the farmers' concerns regarding contamination of the ground water. He suggested the City make the environmental documents regarding the project more accessible to the public and do more to get information out to the public.

Director of Utilities Sweet explained that the City was preparing a fact sheet and a video which would play on PEG Access TV which would provide information about the project and what was being done to protect the ground water. He offered to provide Mr. Quandt with all documents and information regarding the project, in addition to a tour of the landfill and Guadalupe Dunes Restoration Project.

City Manager Ness commented that the NHIS program had been in existence for several years.

CONSENT CALENDAR
Consent Calendar Items A through O were approved on motion by Councilmember Orach, seconded by Councilmember Trujillo and carried on the following vote:

AYES: Councilmembers Mariscal, Orach, Patino, Trujillo, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

A. ORDINANCES
The reading in full of all ordinances and resolutions was waived. Ordinances on the Consent Calendar are adopted by the same vote cast at the first reading unless City Council indicates otherwise.

B. MINUTES
The Minutes of the Regular City Council Meeting of September 5, 2006, were approved as submitted.

C. CONFLICT OF INTEREST CODE
Resolution No. 2006-154 was adopted approving minor amendments to the City's Conflict of Interest Code.

Resolution No. 2006-154 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AMENDING APPENDIX "A" OF THE CONFLICT OF INTEREST CODE FOR DESIGNATED FILERS OF THE CITY OF SANTA MARIA.

D. ORDINANCE NO. 2006-13
Ordinance No. 2006-13 was introduced by title only for first reading and continued to the next meeting for second reading and adoption making minor numerical changes to Ordinance No. 2005-04 to be consistent with the numbering system of the City's Municipal Code.

Ordinance No. 2006-13 introduced. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA AMENDING CERTAIN SECTIONS OF TITLE 12 OF THE SANTA MARIA MUNICIPAL CODE TO CORRECT NUMBERING.

E. WARRANTS
Warrant Nos. 129620 to 129914 in the amount of $1,062,282.07 were ordered ratified subject to having been certified as being in conformity with the budget and having been approved for payment by the Director of Administrative Services. Warrant Nos. 129447, 129495, 129523, and 129690 were canceled.

F. PAYROLL
Payment of payroll was ordered ratified subject to having been certified by the proper Department Heads, as shown on records on file in the Department of Administrative Services and having been approved for payment by the Director of Administrative Services.

G. ENTERTAINMENT LICENSE
Council approved an Entertainment License for Stinky's Grill pursuant to Section 4-7.203(b) of the Santa Maria Municipal Code to allow live music, disc jockey, and dancing during specified times.

H. POLICIES AND PROCEDURES
Resolution No. 2006-155 was adopted approving written Policies and Procedures giving priority water and sewer service to projects proposing lower income residential units, as required by State law, and directing staff to incorporate the policies and procedures into the Housing Element.

Resolution No. 2006-155 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING POLICIES AND PROCEDURES GIVING PRIORITY WATER AND SEWER SERVICE TO HOUSING PROJECTS THAT INCLUDE UNITS AFFORDABLE TO LOWER INCOME HOUSEHOLDS, AND GIVING DIRECTION TO STAFF.

I. AMENDMENT TO AGREEMENT
Resolution No. 2006-156 was adopted approving an amendment to the agreement with the third-party claims administrator, Carl Warren and Company, for administering the City's liability claims.

Resolution No. 2006-156 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE EXISTING AGREEMENT WITH CARL WARREN & COMPANY TO PROVIDE THIRD PARTY ADMINISTRATOR SERVICES FOR THE CITY'S LIABILITY CLAIMS.

J. NOTICE OF COMPLETION
Council accepted as complete the public improvements, authorized the filing of a Notice of Contract Completion for Concrete Repair/Replacement – 2006, Bid No. 2006/01 and directed the City Clerk to record same.

K. NOTICE OF COMPLETION
Council accepted as complete the public improvements, authorized the filing of a Notice of Contract Completion for Household Hazardous Waste Facility, Bid No. 2005/13 and directed the City Clerk to record same.

L. NO STOPPING ZONES
Resolution No. 2006-157 was adopted establishing no stopping zones on the north side of West Main Street near Lincoln Street.

Resolution No. 2006-157 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ADOPTING NO STOPPING ZONES ON MAIN STREET PURSUANT TO SECTION 705.16 OF THE SANTA MARIA MUNICIPAL CODE.

M. NO STOPPING ZONES
Resolution No. 2006-158 was adopted establishing no stopping zones on the north side of West Boone Street near Western Street in front of the Oakwood Village Apartment project.

Resolution No. 2006-158 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ADOPTING NO STOPPING ZONES ON BOONE STREET PURSUANT TO SECTION 7-5.16 OF THE SANTA MARIA MUNICIPAL CODE.

N. LIMITED TIME PARKING
Resolution No. 2006-159 was adopted establishing a one-hour limited time parking zone on the west side of Thornburg Street just north of Alvin Avenue.

Resolution No. 2006-159 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ADOPTING A ONE-HOUR LIMITED TIME PARKING ZONE ON THORNBURG STREET PURSUANT TO SECTION 7-5.14 OF THE SANTA MARIA MUNICIPAL CODE.

O. ANNEXING PARCELS
Resolution Nos. 2006-160, 2006-161, 2006-162 and 2006-163 were adopted annexing and assessing eight (8) parcels into the City's four Landscaping and Lighting Districts.

Resolution No. 2006-160 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ANNEXING AND AUTHORIZING THE ASSESSMENT OF LANDSCAPE MAINTENANCE FEES TO SANTA MARIA COMMONS, VILLAGE AT WESTGATE RANCH, FOXENWOOD TOWNHOMES AND KNUTSON INDUSTRIAL OFFICE, LOCATED IN THE SOUTHWEST LANDSCAPE MAINTENANCE DISTRICT (STREET AND HIGHWAYS CODE SECTION 22500, ET SEQ.)

Resolution No. 2006-161 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ANNEXING AND AUTHORIZING THE ASSESSMENT OF LANDSCAPE MAINTENANCE FEES TO MCCLELLAND OFFICE/RESIDENTIAL CONDOMINIUM LOCATED IN THE SOUTH MILLER STREET/SOUTH COLLEGE DRIVE LANDSCAPE MAINTENANCE DISTRICT (STREET AND HIGHWAYS CODE SECTION 22500, ET SEQ.)

Resolution No. 2006-162 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ANNEXING AND AUTHORIZING THE ASSESSMENT OF LANDSCAPE MAINTENANCE FEES TO KAMAL PETROLEUM AND SLS MEDICAL BUILDING LOCATED IN THE NORTHEAST LANDSCAPE MAINTENANCE DISTRICT (STREET AND HIGHWAYS CODE SECTION 22500, ET SEQ.)

Resolution No. 2006-163 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ANNEXING AND AUTHORIZING THE ASSESSMENT OF LANDSCAPE MAINTENANCE FEES TO SCOTT ALLEN MIXED USE LOCATED IN THE NORTHWEST LANDSCAPE MAINTENANCE DISTRICT (STREET AND HIGHWAYS CODE SECTION 22500, ET SEQ.)

ANNEXATION #106
Planner III Shipsey gave the staff report. This is a request for a General Plan Amendment, Prezoning, Sphere of Influence Boundary Amendment, and Annexation for the 2006 Wastewater Treatment Plant Expansion, Foote Property, and Diani Homesite Projects located on the east side of Black Road from the 700 block to the SMVRR (1500 block) and on the north and south side of West Stowell Road from 1689 West Stowell Road to Black Road, for a total of 270 acres. Council is requested to approve a Notice of Exemption for the Diani Homesite project, certify the Final Environmental Impact Report (FEIR), approve an amendment to the General Plan (Land Use) to 10.45 acres of LWDR-4 (Lower Density Residential) and 240.68 acres of CF (Community Facilities), prezone 10.45 acres to RA (Residential Agriculture) with a minimum site of 5

acres per dwelling unit, 240.68 acres of PF (Public Facilities), 7.00 acres of PD/M-2 (Planned Development/General Manufacturing), and 2.13 acres of PD/CM/AG (Planned Development/Heavy Commercial Manufacturing/Agricultural Overlay), and initiate an application to amend the City sphere of influence boundary and annexation of the project site. On August 16, 2006, the Planning Commission adopted Resolution Nos. 2429, 2430, 2431, and 2432 on a 5-0 vote recommending the City Council approve the project.

On April 5, 2005, the City Council referred the Wastewater Treatment Plant (WWTP) Annexation petition to the Planning Commission for a report. On March 7, 2006, and June 6, 2006, the City Council directed the Foote and Diani parcels be incorporated into the WWTP annexation application. The Diani portion of the annexation petition is 10.45 acres located at 1689 West Stowell Road. There are two single-family houses on the property. The property owners agreed to allow the prezoning to require a minimum of five acres per residential unit. In this way, the existing site is already developed to the highest and best use. The project would not intensify or otherwise change the present use of the property; and therefore, is recommended to be determined as Class 1. The Foote property portion is 7.00 acres located at 1482 to 1498 West Stowell Road. In 1992, the City Council adopted a land use designation of GI (General Industrial) for the Foote property. Dolores Foote, the applicant, has requested PD/M-2 (Planned Development/General Manufacturing) prezoning which is consistent with the GI land use designation. Annexation 106 also includes three parcels by default because Government Code Section 56744 prohibits the creation of "County Islands" through City annexations. The three parcels consist of about 2.13 acres. The majority of the property to be annexed is for the City-owned Wastewater Treatment Plant Expansion and is proposed to be prezoned to PF (Public Facilities).

On September 5, 2006, the City Council continued this item to allow staff to check into the public noticing and EIR processing requirements. Staff feels that the process has been duly followed. He explained that Class 1 impacts identified in an EIR are identified when a project would create adverse impacts on the environment that are significant and cannot be mitigated to less than significant levels. The Wastewater Treatment Plant Expansion would create a Class 1 impact in the area of agricultural resources, specifically that impact as identified in the EIR is "the proposed project would impact prime soil as well as farmland that is unique and of Statewide importance." There is no mitigation for this impact; and therefore, staff recommends the Council certify the Final EIR by making CEQA findings with a Statement of Overriding Considerations.

Director of Community Development Lindsey stated on the Friday before the September 5th City Council meeting, staff received comment from several agencies concerned about the process. That has been reviewed, and staff believes the City followed the proper process. Further, there were concerns raised about agricultural impacts. Staff has had the position that the project before the City Council will allow for the accommodation of growth rather than being conducive to growth. Expansion of the wastewater treatment plant will allow for growth anywhere in the City, not on the specific site being proposed for annexation. Uses such as the spreading ponds, the animal shelter, and the impound yard, are not the types of uses that attract urbanization. They are compatible with agriculture and would dissuade urbanization. Staff was sensitive to the comments made, and believe the City is keeping within the spirit of the "no build" area. He highlighted changes to Resolution No. 2006-167 which had been added to address the concerns regarding agriculture. The City has 100 percent consent to the annexation by all property owners.

Mayor Lavagnino stated if the City did not expand the wastewater treatment plant, the City would be irresponsible. The City does not want to be in the same position as the Laguna County Sanitation District.

Councilmember Mariscal asked about one of the concerns listed in the letters received from other agencies that the Statement of Overriding Considerations did not absolve the City of the requirements to implement feasible mitigation that lessens the project's impacts.

Planner III Shipsey explained that the Statement of Overriding Considerations is part of the State law which says that if you have a significant impact and you are approving a project, you must make certain findings before approving the project. That is where the certification of the EIR comes into play. At the point when the Utilities Department is ready to begin construction, applications will have to be made to the State of California to construct a wastewater treatment plant facility. The Department of Conservation administers the agricultural contracts that are on the property. There is a process that needs to be followed to take that agricultural inventory out of their Statewide list of land under contract. The City will still have to go through that process to officially terminate the contracts for the portion of the property that will be used by the City.

Councilmember Mariscal stated the Wastewater Treatment Plant Expansion is a long-term, phased project which will give all the parties an opportunity to see how things work. The City will be working with the State and local agricultural interests and the property owners of the properties that are going to be rezoned to ensure that no additional homes are built on those parcels than exist now.

Planner III Shipsey stated that was correct. A portion of the property being annexed has two houses on it already on 10.45 acres. The prezoning for that property is one house per each five acres. There is no additional residential development capacity associated with this annexation.

City Attorney Trujillo stated the whole section in CEQA which deals with Statements of Overriding Considerations allows for situations where mitigation measures will not fully address the environmental impacts. There are a number of findings in the Council's packet that the City Council will have to make to adopt a Statement of Overriding Considerations.

Councilmember Orach stated the City has approved outside user agreements to certain agriculture uses that are outside the City limits for water and sewer services. The City is servicing their sewer needs at the wastewater treatment plant. There will probably be more agricultural uses that will benefit from the expansion of the treatment plant.

Councilmember Patino stated she thought it was very important that the City of Santa Maria did not have a situation like has happened at Laguna Sanitation District. She said she understood their rates were going up to consumers another four percent. Limiting urbanization into prime agricultural land is very important to the Valley.

Mayor Lavagnino opened the public hearing.

Richard Quandt, Growers, Shippers and Vegetable Association, stated he was glad City staff had prepared the resolution referencing the "greenbelt agreement." The City was to be praised to the highest for adopting the "greenbelt agreement." He was here because of concern among the farmers that the agreement was not being respected with this project. If the City was going to tell developers they had to abide by the greenbelt agreement when the City was annexing 270 acres in the area for itself, it was not setting a good example. The farmers are concerned about the example the City was setting in terms of being a steward of the agricultural land. Everyone understands that the City needs to expand the wastewater treatment plant, and expansion will have to occur contiguous to the current sewer plant. In reading the report, it appears that only 40 acres are required to expand the wastewater treatment plant at this time. He urged the Council to consider adopting Alternative 2 or 3 in the EIR, and consider a reduced project. There appears to be no reason to annex the other 230 acres at this time. Trying to say that an impound yard or a City corporation yard is not urban development, is not being genuine.

Mayor Lavagnino stated the urban line has two sides to it. He asked if the Growers, Shippers and Vegetable Association members were willing to commit to not sell their land to developers.

Mr. Quandt responded that only about half of the farm acreage was owned by the farmers. The other half or more was owned by other property owners with the farmers

leasing the land. Their organization was not land-owner driven, it was agriculture driven.

Mayor Lavagnino stated the farmers want the City of Santa Maria to protect the farm land. Then as soon as someone comes along and offers them $290,000 an acre, they decide they are not farmers anymore.

Mr. Quandt stated decisions about land use were often predicated on the value of the property. The value of the property was largely dependent on land use planning decisions the City Council makes. He said he was urging the Council to respect the greenbelt agreement in that area so those lands did not have inflated values which would be growth inducing.

Hearing no further requests to speak, Mayor Lavagnino closed the public hearing.

Councilmember Mariscal stated not too long ago there was some discussion about a fourth high school in the northwest quadrant of the City which was way over the "no build" line. That was to be a gift to the High School District if the property owner was allowed to annex into the City and develop the remaining 174 acres. He said he would not have supported that. This annexation is a completely different utilization of the land. If there was going to be any encroaching over that "no build" line, all agriculturalists in the Valley would probably prefer it be done by the City of Santa Maria as opposed to a private developer. The City has shown a true dedication to the spirit and intent of the resolution creating the greenbelt agreement.

On motion by Councilmember Mariscal, seconded by Councilmember Patino, and carried on the following vote:

AYES: Councilmembers Mariscal, Orach, Patino, Trujillo, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2006-164 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AUTHORIZING THE FILING OF A NOTICE OF EXEMPTION, E-2006-061, FOR THE DIANI HOMESITE PROJECT (GPZ-2006-004 AND AN-106).

On motion by Councilmember Mariscal, seconded by Councilmember Patino, and carried on the following vote:

AYES: Councilmembers Mariscal, Orach, Patino, Trujillo, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2006-165 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT (E-2005-012), MAKING CEQA FINDINGS, ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS, AND ADOPTING A MITIGATION MONITORING PLAN FOR THE 2006 WASTEWATER TREATMENT PLANT EXPANSION PROJECT, FILE NOS. GPZ-2005-001 AND AN-106, LOCATED EAST OF BLACK ROAD AND ON THE NORTH AND SOUTH SIDES OF STOWELL ROAD.

On motion by Councilmember Mariscal, seconded by Councilmember Patino, and carried on the following vote:

AYES: Councilmembers Mariscal, Orach, Patino, Trujillo, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2006-166 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING A GENERAL PLAN (LAND USE ELEMENT) AMENDMENT FOR THE 2006 WASTEWATER TREATMENT PLANT EXPANSION/DIANI HOMESITE PROJECTS, LOCATED ON THE EAST SIDE OF BLACK ROAD FROM THE 700 BLOCK TO THE SMVRR (1500 BLOCK) AND ON THE NORTH AND SOUTH SIDE OF WEST STOWELL ROAD FROM 1689 WEST STOWELL ROAD TO BLACK ROAD (GPZ-2005-001, GPZ-2006-004).

On motion by Councilmember Mariscal, seconded by Councilmember Patino, and carried on the following vote:

AYES: Councilmembers Mariscal, Orach, Patino, Trujillo, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Ordinance No. 2006-12 introduced. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, PREZONING 260.26 ACRES OF PROPERTY LOCATED ON THE EAST SIDE OF BLACK ROAD FROM THE 700 BLOCK TO THE SMVRR (1500 BLOCK) AND ON THE NORTH AND SOUTH SIDE OF WEST STOWELL ROAD FROM 1689 WEST STOWELL ROAD TO BLACK ROAD.

On motion by Councilmember Mariscal, seconded by Councilmember Patino, and carried on the following vote:

AYES: Councilmembers Mariscal, Orach, Patino, Trujillo, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2006-167 as amended adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING A RESOLUTION OF APPLICATION INITIATING PROCEEDINGS FOR THE 2006 WASTEWATER TREATMENT PLANT EXPANSION AND DIANI HOMESITE REORGANIZATION (ANNEXATION 106).

City Manager Ness asked the Director of Utilities to respond to Mr. Quandt's comment that only 40 acres was needed for the Wastewater Treatment Plant Expansion project.

Director of Utilities Sweet explained that there would be 210 total acres involved in eventual ponding. That added capacity should last the City from 25 to 35 years. The first project of 110 acres would be started in fiscal year 2010 or 2011. The next 100 acres would probably not be used for another 15 to 20 years. It was a very long-term project.

LA VENTANA DEVELOPMENT AGREEMENT

Principal Engineer Whitehead gave the staff report. This is a development agreement with Inland Pacific Builders for the La Ventana development located north of East Main Street, west of Panther Drive, and south of the Pioneer Valley High School. As part of the development, the City requested the developer build East Main Street from Suey Road to Panther Drive. The total build-out improvements would exceed those required to address traffic needs created by the developer's project. If the City and developer enter into a development agreement, the developer can provide additional traffic improvements the community needs now and be reimbursed for construction costs that exceed the developer's fair share. The Development Agreement for La Ventana would establish specific development standards on behalf of the developer and how monetary reimbursement or credit for the improvements will occur.

Mayor Lavagnino opened the public hearing. Hearing no requests to testify, Mayor Lavagnino closed the public hearing.

Councilmember Orach stated there was a lot of land between this stretch of East Main Street and the Landfill. He asked if developers of those properties would have to pay their portion of the improvements when they developed.

Principal Engineer Whitehead stated those developers would be required to do their frontage improvements and to pay their AB 1600 fees. They would be contributing to the program that will pay to reimbursement this project.

Councilmember Trujillo asked if there were any legal ramifications for the City with this agreement.

City Attorney Trujillo responded that it was a binding, legal agreement.

Ordinance No. 2006-14 was introduced by title only for first reading and continued to the next meeting for second reading and adoption on motion by Councilmember Orach, seconded by Councilmember Trujillo, and carried on the following vote:

AYES: Councilmembers Mariscal, Orach, Patino, Trujillo, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Ordinance No. 2006-14 introduced. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING A DEVELOPMENT AGREEMENT FOR LA VENTANA, LOCATED NORTH OF EAST MAIN STREET AND WEST OF PANTHER DRIVE.

REPORT BY CITY MANAGER

City Manager Ness reported on items for the next regular City Council meeting on October 3, 2006, including a Peace Week proclamation, a proclamation for Fire Prevention Week, and a novation for the sale of the Santa Maria Valley Railroad. Also on the 17th of October there would be a proposal for the red light camera enforcement program, a Development Agreement for Regency Centers, and a presentation of the Helen Putnam Award which the City received from the League of California Cities in 2005.

ORAL REPORTS OF COUNCILMEMBERS

Councilmember Trujillo reported on his attendance at the League of California Cities Conference in San Diego on September 6 – 9, 2006 and the sessions he attended.

Councilmember Trujillo reported he had attended the fundraiser for the Angel of Hope Memorial. Chief Macagni was there making pizzas. He commended the Chief of Police and the people who participated because it was a good project.

Councilmember Trujillo also reported that on September 18th he was a speaker for the Central Coast Homeowners Association.

Councilmember Orach talked about the large boulder that had been donated for the Angel of Hope Memorial statue and the crane company who had volunteered to move it from behind the Madonna Shopping Center to the Cemetery.

Mayor Lavagnino reported that he was on vacation the last two weeks visiting relatives in Connecticut.

Councilmember Patino reported she and her husband barbequed for the Santa Maria Saints. They cooked for about 117 people.

Councilmember Patino reported that Santa Maria Valley History Week was going on this week with exhibits at the Town Center Mall, Monday through Thursday from 11:00 a.m. to 5:00 p.m., and Friday and Saturday from 11:00 a.m. to 8:00 p.m. Last Sunday was the opening brunch at the Elks Club, and next Sunday would be the community barbeque at Pioneer Park.

Councilmember Patino reported that on September 13th Santa Maria Valley Beautiful held their annual award banquet.

Councilmember Patino reported that she and Councilmember Orach had attended the Recreation and Parks Commission meeting where they had discussed prospective uses of the Los Flores Ranch property. She said the people in attendance suggested everything from mountain bike trails, to a shooting range, to a motor cross track, to a place to have outdoor weddings and receptions.

Councilmember Patino also reported that Fighting Back Santa Maria Valley would be holding a "free for the weekend" drug and alcohol free event at Saturn for junior high school students on September 30th.

Councilmember Mariscal reported that he attended the very last session for the CA Civic Leadership Institute program on September 6th. It was the third session of a three-session program. Only 28 elected officials throughout the State of California were selected to participate. The last session was on health care in California. There were presentations by lobbyists who represent Blue Shied, lobbyists who represent the California Medical Association, and the staff analyst for the Democratic portion of the legislature.

Councilmember Mariscal reported on the League of California Cities Conference held September 6 – 9, 2006, in San Diego and the sessions he attended.

Councilmember Mariscal reported on the upcoming forum at noon on September 21, 2006, sponsored by the Chamber of Commerce Business Committee and the Committee to Improve North County, and others on Measure D 2006.

Councilmember Mariscal also talked about a fundraiser for P.L.A.Y., the Tastes of Mexico, to be held on Friday, September 22, 2006, at the Vets Hall at 6:00 p.m.; the first concert for the Santa Maria Philharmonic Society at Grace Baptist Church on McCoy and College at 7:00; and the annual fundraiser for the Santa Maria Valley Discovery Museum on Sunday.

CLOSED SESSION
Council recessed to Closed Session at 8:00 p.m. for Conference with Labor Negotiator pursuant to Section 54957.6. of the Government Code; Agency representative: Assistant City Manager; Employee organization: Service Employees International Union (SEIU).

After the Closed Session, the following was announced:

Conference with Labor Negotiator: Direction to staff.

ADJOURNMENT
There being no further business to come before the City Council at this time, the meeting was declared adjourned at 8:35 p.m. by order of Mayor Lavagnino.

APPROVED

10-5-06
Date

Patricia A. Peterson
Chief Deputy City Clerk of the City of Santa Maria and ex officio Clerk of the City Council

ATTEST:

Patricia A. Peterson
Chief Deputy City Clerk

S. S. Lavagnino
Mayor of the City of Santa Maria